

**Notice of Allowability**

Application No.

09/767,838

Examiner

Huyen X. Vo

Applicant(s)

SHAW, ERIC D.

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/4/2005.
2. ☒ The allowed claim(s) is/are 1-6,25-32,37-62 and 66-72.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

W. R. YOUNG  
PRIMARY EXAMINER

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-6, 25-32, 37-62, and 66-72 are allowed over prior art of record. The following is an examiner's statement of reasons for allowance: Joao (US 5961332) discloses an apparatus for processing psychological data, said apparatus comprising means for processing data indicative of at least one of an individual's psychological condition, psychological states, concomitant physiological states, and states of dysfunction in conjunction with at least one of psychological, concomitant physiological, and psycho pathological, at least one of principles, theories and research data in order to generate data indicative of at least one of a diagnosis and a treatment plan for the individual, the improvement comprising a remote user interactive means for providing at least one of a remote accessing and utilization of said apparatus, said remote user interactive means further comprising a user input means for inputting data pertaining to an individual and a user display means for providing at least one of an indication of apparatus operation and data relevant to an individual, wherein said remote user interactive means facilitates at least one of data entry and control over said apparatus, and further wherein data pertinent to at least one of an individual's diagnosis and treatment plan is obtained from said apparatus via said remote user interactive means. Chase (US 6332143) teaches a computerized interactive language reference system includes a database of terms with associated denotative, connotative and human-interest information. The system goes through each word of a passage and determines whether there is an entry in the database for such word. For each term where there is

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an entry, there is a check to see if the term has more than one denotative meaning.

Where there is more than one denotative meaning, an appropriate one of the denotative meanings is selected. The system evaluates the passage for positive emotional connotations, negative emotional connotations, global emotional connotations, human interest, connotations of power, connotations of activity and connotations of abstractness/concreteness. Dominant emotional connotations and dominant words also are specifically identified and ranked. Both Joao and Chase fail to disclose the collected at least one computer generated communication comprises at least one of email, chat from a chat room and information obtained from a server, a plurality of analyses are used to process the categories of information comprising at least one psychological profiling algorithm which provides an indication of a psychological state of the author, at least one key word algorithm which processes any phrases and/or threatening acts to further identify a psychological state of the author and how the author may react to the identified psychological state and at least one message characteristic algorithm which analyzes characteristics of the at least one computer generated communication to identify a psychological state and/or at least one possible action of the author. Furthermore, it would have not been obvious to one of ordinary skill in the art at the time of invention to modify Joao and/or Chase to obtain the claimed invention. Therefore, claims 1-6, 25-32, 37-62, and 66-72 are allowed over prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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9/6/2005

  
W. R. YOUNG  
PRIMARY EXAMINER